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EXAMINER

LU, KUEN S

ART UNIT PAPER NUMBER

2167

DATE MAILED: 11/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|-------------------------------|------------------------------------|--|
| Office Action Summary | Application No. 10/027,380 | Applicant(s) BLAZEY, RICHARD N. | |
| | Examiner Kuen S. Lu | Art Unit 2167 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 August 2005.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11, 19, 20 and 26-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11, 19-20 and 26-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendments

1. The Action is responsive to the Applicant's Amendments, filed on August 17, 2005.
 2. In responding to Applicant's Remarks on claim rejections, filed on August 17, 2005, the Remarks has been fully considered by the Examiner, please see discussion in the section ***Response to Arguments***, following the Office Action for Final Rejection.
- Please note claims 1-11, 19-20 and 26-29 are pending.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-9 and 26-29 are rejected are rejected under U.S.C. 102(e) as anticipated by Holbrook (U.S. Publication 2002/0152222).

As per claims 1 and 7, Holbrook teaches the following:

"a) providing a first display screen having a first plurality of pre-defined selection items relating to features of an object stored in said searchable database" (See Fig. 9, element 900; Figs. 5-6; Page 1, [0008]; Page 7; [0092], Page 8, [0100] and Page 15, [0166] wherein Holbrook's sub-categories of pre-defined selection of categories is searched from database and a first plurality of predefined selection items, vehicles,

recreation, sports and auctions is displayed, is equivalent to Applicant's providing a first display screen having a first plurality of pre-defined selection items relating to features of an object stored in said searchable database);

"b) enabling a user to choose one of the said predefined selection items for entering data into a predetermined searchable field in said searchable database that is associated with said stored object or going to a next display screen for presenting a next set of predefined selection items" (See **Fig. 9, element 900; Figs. 5-6; Fig. 24, element 201; Page 7, [0092]; Page 8, [0100] and Page 15, [0166]** wherein Holbrook's Fig. 5, element 505-cars is clicked and window 201, elements 202-204 of Fig. 6 are popped up to display data in the pre-determined fields where data is searchable from database, note click a selection self is a data entry, is equivalent to Applicant's enabling a user to choose one of the said predefined selection items for entering data into a predetermined searchable field in said searchable database that is associated with said stored object or going to a next display screen for presenting a next set of predefined selection items); and

"c) enabling said user to repeat step (b) until all desired selections have been made for entering data into said predefined selection items into said predetermined searchable field of said searchable database" (See **Figs. 9, 5-6, 33; Fig. 24, element 201; Page 7, [0092]; Page 8, [0100] and Page 15, [0166]** wherein Holbrook's a predefined selection item is clicked for showing subcategories available for user's next level of selection for information of a subcategory, and further data elements may be imported from database via database query engine is equivalent to Applicant's enabling said user to repeat step

(b) until all desired selections have been made for entering data into said predefined selection items into said predetermined searchable field of said searchable database).

As per Claim 2, Holbrook teaches "selection items are selection buttons" (See Fig. 5, elements 506s wherein Holbrook's recreation, vehicles, sports and auctions are the buttons for selecting items is equivalent to Applicant's selection items are selection buttons).

As per Claim 3, Holbrook teaches "selection items are linked text blocks" (See Figs. 5 and 9, Page 7, [0092] and Page 8, [0100] wherein Holbrook's selection item shopping is linked to web page block 900 is equivalent to Applicant's selection items are linked text blocks).

As per Claim 4, Holbrook teaches "selection items are linked regions on a screen" (See Fig. 5, elements 509, 506s and 520s wherein Holbrook's items shopping, recreation, [cars, slot cars, radio control] are linked regions on a screen is equivalent to **Applicant's selection** items are linked regions on a screen).

As per Claim 5, Holbrook teaches "at least one said selection items is labeled with a text label" (See Fig. 5 wherein Holbrook's elements 506s are selection items labeled with text labels vehicles, sports, auctions and recreation is equivalent to Applicant's at least one said selection items is labeled with a text label).

As per Claim 6, Holbrook teaches "selection items is labeled with a graphic image" (See Fig. 16 Holbrook's image elements is equivalent to Applicant's selection items is labeled with a graphic image).

As per Claim 8, "entering more than one selection item into the same said predetermined field of said database" (See Fig. 5 wherein Holbrook's recreation field has three selectable items cars, slot cars and radio control is equivalent to Applicant's entering more than one selection item into the same said predetermined field of said database).

As per Claim 9, Holbrook teaches "selecting said selection item using a mouse" (See Fig. 5, elements 504- 506 wherein Holbrook's selectable items are clicked to select is equivalent to Applicant's selecting said selection item using a mouse).

As per claims 26-27, Holbrook further teaches "said object is selected from one of the following: automobile; sporting equipment; insured item; insurance claim; and patient medical record" (See Fig. 9, the categories of selected items include auto auction is equivalent of Applicant's said object is selected from one of the following: automobile; sporting equipment; insured item; insurance claim; and patient medical record).

As per claims 28-29, Holbrook further teaches "wherein selection items are presented in a tree hierarchy" (See Page 1 where the categories and their sub-categories are further subdivided into subsequent levels is equivalent of Applicant's wherein selection items are presented in a tree hierarchy).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 10-11 and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Holbrook (U.S. Publication 2002/0152222) as applied to claims 1-9 and 19-20, and further in view of Florance et al. (U.S. Publication 2002/0065739, hereafter "Florance").

As per Claim 10, Holbrook teaches multiple levels of selecting items involving database data as described in previously for claims 1, 7 and 19-20 rejection.

Holbrook does not specifically teach selecting a selection item using a touch screen.

However, Florance teaches activating a selection from the menu by touching the screen at Page 17, [0207], lines 6-11.

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Florance's reference with Holbrook' by

implementing touch screen for activating a selection from the menu because by using the latest technology would have continuously improved data collection, enhanced sales efforts and service capabilities, and controlled costs as the marketplace framework and unified data model is built.

As per Claim 11, Florance further teaches activating a selection from the menu by voicing a command at Page 17, [0207], lines 6-11.

As per claims 19 and 20, Holbrook teaches “a) providing a first display screen having a first plurality of pre-defined selection items” (See Fig. 9, element 900; Figs. 5-6; Page 1, [0008]; Page 7; [0092], Page 8, [0100] and Page 15, [0166] wherein Holbrook’s sub-categories of pre-defined selection of categories is searched from database and a first plurality of predefined selection items, vehicles, recreation, sports and auctions is displayed, is equivalent to Applicant’s providing a first display screen having a first plurality of pre-defined selection items relating to features of an object stored in said searchable database).

Holbrook does not specifically teach the pre-defined selection items “relating to features of a real estate property”, although Holbrook teaches the selection items related to classifieds and retailers.

However, Florance teaches collecting, distributing and using commercial real estate system and web-based marketplace for facilitating the buying and selling of commercial properties at Page 3, [0036].

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Florance's reference with Holbrook' by Including real-estate as a category for the pre-defined selection items because the Florance reference is dedicated to creating an efficient marketplace for providing reliable commercial real estate information on the internet while the Holbrook reference is designated to resolve the issue of presentation and navigation of database search result on the internet, and the combined teaching of the references would have facilitated the introduction of commercial real estate properties efficiently and reliably to the potential buyers in the market conveniently via internet.

The combined teaching of Florance and Holbrook references further teaches the following:

"b) enabling a user to choose one of the said predefined selection items for entering data into a predetermined searchable field in said searchable database that is associated with said real estate property and/or going to a next display screen for presenting a next set of predefined selection items" (the combined teaching of Holbrook: **Fig. 9, element 900; Figs. 5-6; Fig. 24, element 201; Page 7, [0092]; Page 8, [0100] and Page 15, [0166]** wherein Holbrook's Fig. 5, element 505-cars is clicked and window 201, elements 202-204 of Fig. 6 are popped up to display data in the pre-determined fields where data is searchable from database, note click a selection self is a data entry, and Florance: Page 3, [0036] collecting, distributing and using commercial real estate system and web-based marketplace for facilitating the buying and selling of commercial properties, is equivalent to Applicant's enabling a user to choose one of the

said predefined selection items for entering data into a predetermined searchable field in said searchable database that is associated with said real estate property and/or going to a next display screen for presenting a next set of predefined selection items); and

"c) enabling said user to repeat step (b) until all desired selections have been made for entering data into said predefined selection items into said predetermined searchable field of said searchable database" (See **Figs. 9, 5-6, 33; Fig. 24, element 201; Page 7, [0092]; Page 8, [0100] and Page 15, [0166]** wherein Holbrook's a predefined selection item is clicked for showing subcategories available for user's next level of selection for information of a subcategory, and further data elements may be imported from database via database query engine is equivalent to Applicant's enabling said user to repeat step (b) until all desired selections have been made for entering data into said predefined selection items into said predetermined searchable field of said searchable database).

As per claims 19 and 20, Holbrook teaches the following:

"a) providing a first display screen having a first plurality of pre-defined selection items relating to features of an object stored in said searchable database" (See Fig. 9, element 900; Figs. 5-6; Page 1, [0008]; Page 7; [0092], Page 8, [0100] and Page 15, [0166] wherein Holbrook's sub-categories of pre-defined selection of categories is searched from database and a first plurality of predefined selection items, vehicles, recreation, sports and auctions is displayed, is equivalent to Applicant's providing a first

display screen having a first plurality of pre-defined selection items relating to features of an object stored in said searchable database);

"b) enabling a user to choose one of the said predefined selection items for entering data into a predetermined searchable field in said searchable database that is associated with said stored object or going to a next display screen for presenting a next set of predefined selection items" (See **Fig. 9, element 900; Figs. 5-6; Fig. 24, element 201; Page 7, [0092]; Page 8, [0100] and Page 15, [0166]** wherein Holbrook's Fig. 5, element 505-cars is clicked and window 201, elements 202-204 of Fig. 6 are popped up to display data in the pre-determined fields where data is searchable from database, note click a selection self is a data entry, is equivalent to Applicant's enabling a user to choose one of the said predefined selection items for entering data into a predetermined searchable field in said searchable database that is associated with said stored object or going to a next display screen for presenting a next set of predefined selection items); and

"c) enabling said user to repeat step (b) until all desired selections have been made for entering data into said predefined selection items into said predetermined searchable field of said searchable database" (See **Figs. 9, 5-6, 33; Fig. 24, element 201; Page 7, [0092]; Page 8, [0100] and Page 15, [0166]** wherein Holbrook's a predefined selection item is clicked for showing subcategories available for user's next level of selection for information of a subcategory, and further data elements may be imported from database via database query engine is equivalent to Applicant's enabling said user to repeat step

(b) until all desired selections have been made for entering data into said predefined selection items into said predetermined searchable field of said searchable database).

7. The prior art made of record

A. U.S. Publication 2002/0065739

F. U.S. Publication 2002/0152222

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

B. U.S. Publication 2002/0156779

C. U.S. Publication 2002/0063901

D. U.S. Publication 2003/0130924

E. U.S. Publication 2002/0184117

U. Oracle® Applications User's Guide, Release 11, March 1988x, ORACLE®

Response to Arguments

8. The Applicants' arguments filed on August 17, 2005 have been fully considered, for the Examiner's response, please see discussion below:

At Page 6, concerning claim 1, the Applicant argued that the Holbrook reference does not teach choosing one of the said predefined selection items for entering data into a predetermined searchable field in said searching database.

As to the above argument, the Examiner respectfully submits that Holbrook teaches data entry by both entering a text string to an empty field or clicking a pre-defined and

filling data selection field. Please refer to Fig. 2 or 24, element 201 where a query area allows user to enter search string. Please further refer to Page 7, [0090] where three levels of choosing predefined selection items are available for user. For example, when user positions pointer on predefined field "RECREATION", window 505 pops up showing "RECREATION AND BOBBIES: MODELS" as one of selected and predefined fields for further displaying next level of predefined fields, four models, available for user to enter. Please note, entering a text string, clicking an item or positioning pointer on an item is one of the many forms for entering data into searchable field. Also please note the Examiner interprets user's entering the search term "cars" as choosing one of the said predefined selection items for entering data into a predetermined searchable field since "cars" is predefined and recognizable by database.

At Page 7, the Applicant argued that Florance reference does not remedy the deficiencies of Holbrook's since the later reference fails to teach the invention.

As to the above argument, the Examiner respectfully submits that the Applicant's argument is based on the allegiance of Holbrook reference's failure where the Examiner believed the interpretation of claim language is reasonable.

9. As to independent claims 7, 19 and 20, the Examiner applies the same response to the Applicant's argument concerning claim 1. As for dependent claims (2-6, 26-29), (8-11) and 20, which depend on claims 1, 7 and 19, respectively, the Examiner applies the above stated arguments for the respective claim upon which they depend.

10. In light of the forgoing arguments, the U.S.C § 102 rejections for Claims 1-9 and 26-29 and the U.S.C § 103 rejections for Claims 10-11 and 19-20 are hereby sustained.

Conclusions

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Contact Information

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kuen S Lu whose telephone number is (571) 272-4114. The examiner can normally be reached on Monday-Friday (8:00 am-5:00 pm). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jean R. Homere, Esq. can be reached on (571) 272-3780. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for Page 13 published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 886-217-9197 (toll-free).

Kuen S. Lu

Patent Examiner,

November 7, 2005


GRETA ROBINSON
PRIMARY EXAMINER